

CECIL TOWNSHIP  
WASHINGTON COUNTY PENNSYLVANIA  
ORDINANCE NO. 11-2004

AN ORDINANCE OF THE TOWNSHIP OF CECIL, COUNTY OF WASHINGTON, COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE 9-2000 PROHIBITING THE RUNNING AT LARGE, ESTABLISHING THE CONTROL, REMOVAL AND OR TRANSPORTATION OF DOGS OR ANY OTHER DOMESTICATED ANIMALS, THE BARKING, HOWLING, EXCESSIVE NOISE OF DOGS; AND PRESCRIBING PENALTIES FOR VIOLATION.

AND NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Cecil, County of Washington, Commonwealth of Pennsylvania, AND IT IS HEREBY ENACTED AND ORDAINED by the authority of the same, as follows:

**SECTION 1.** Definitions. As used in this Ordinance, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

At Large – Any animal whether wild or domesticated when off the property of its owner and not restrained by a competent person.

Cat – A carnivorous mammal of the feline familiaris.

Dog – A domesticated carnivorous mammal of the species Canis familiaris.

Domesticated – Accustomed to home life. Lives in a home with humans. Animals that can be kept within the immediate living quarters of a residential structure.

Feral – Having escaped from domestication and become wild.

Impound – To catch, trap, net, or if necessary, to kill any animal by the animal control officer or authorized local agency.

Kennel – Any facility, certified by the Commonwealth of Pennsylvania to hold and or care for dogs, cats or other domesticated animals.

Nondomesticated Animals – Any member of the sheep, swine, poultry, bovine or equine family or reptiles having a venomous or constrictor nature.

Other Animal(s) – Any household pet defined as a “domesticated animal”.

Owner – When applied to the proprietorship of a dog or other animal, includes every person having a right of property in such dog or other animal and every person who keeps or harbors such dog or other animal or has it in his/her care,



and every person who permits such dog or other animal to remain on or about any premises occupied by him/her.

Put Down – To kill or have killed by the most humane process possible at the time.

Restraint – Leash or chain not in excess of six feet in length.

Running at large – being upon any public highway, street, alley, park, or other public land, or upon property of another person other than the owner, and not being restrained and being accompanied by or under the control of the owner or any other person having custody of the dog(s) or other animal(s).

Wild – Living in a state of nature and not ordinarily tamed.

**SECTION 2.** Animal Control Officer. Shall be named by the Board of Supervisors annually at the reorganization meeting. The animal control officer may be appointed or hired by contract, which has been approved by the Board and serves at the pleasure of said Board. The Animal Control Officer along with the Cecil Township Police Department shall have concurrent responsibility for the enforcement of this Ordinance and of the Pennsylvania Dog Law, 3 P.S. Section 459-10 1 et seq. or any amendments to said law, provided, that the Animal Control Officer shall not have arresting powers under this Act.

**SECTION 3.** Running at Large. It shall be unlawful for any dog, cat or other animal whether domesticated or feral to be running at large, or for any owner of said animal to permit such animal to run at large in Cecil Township. Exceptions to this Section are dogs that are engaged in lawful hunting activities or for exhibition or field training.

**SECTION 4.** Barking, Howling, Excessive Noise. It shall be unlawful within Cecil Township for any person(s) to own, possess, harbor, or be in control of any dog or other animal which makes any noise continuously and/or incessantly, or makes such noise intermittently, which is generally continuous, repetitive, or recurring to the disturbance of any person any time of the day or night. This Ordinance shall apply regardless of whether the dog or other animal is physically situated in or upon private property. Said noise shall be considered a nuisance; provided, that at the time the animal is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which dog or other animal is situated nor is there any other legitimate cause which justifiably provoked the animal. Exception: This section shall not prohibit or otherwise declare unlawful any agricultural operations protected from nuisance suits by Act 1982-133.

**SECTION 5.** Voiding Animal Excrement. No person having possession, custody or control of any dog or other animal, or the owner of a dog or other animal over which no person exercises possession, custody or control shall allow or permit any dog or other animal to void excrement on any public or private property other than the property of the owner of such dog or other animal. Exception: This section shall not apply to a guide dog



accompanying any blind person, or a dog used for the specific purpose to assist a physical handicapped person, or to animals used by police in the performance of their duties. Nor shall this section apply if the owner or person having custody or control of said animal removes the excrement immediately from private or public property.

**SECTION 6.** Accumulation of Excrement. No person(s) shall accumulate on property or in a disposal container dog or other animal excrement that may cause offensive odors, rodent infestation or unsanitary health conditions.

**SECTION 7.** Public Property. It shall be unlawful for any owner or person in control of a dog or other animal to enter any Township owned or operated park, parklet, playground, Township building or public grounds owned or operated by the Township. Exception. Where posted that dogs or other animals are permitted in secure areas or for any dog used for the sole purpose to accompany any blind or handicapped individual.

**SECTION 8.** Dangerous or Vicious Animals. It shall be unlawful for any individual to own, harbor or control dangerous or vicious dogs or other animals. A dog determined to be dangerous under section 502A of the Pennsylvania Dog Law, 3P.S. Section 459-502A, shall be restrained or otherwise kept in accordance with Article VI-A of the Pennsylvania Dog Law, 3P.S. Section 459-501-A et seq. Dogs may be put down only in accordance with the requirements of Section 501 of the Pennsylvania Dog Law, 3 P.S. Section 459-501, and otherwise, said dogs must be retained and delivered to the police or State dog warden. While detained, said dog must be treated humanely.

**SECTION 9.** Quarantine of biting dogs or other animals. Confinement – It shall be unlawful for the owner of any dog or other animal which bites any person or another animal regardless of circumstance or whether the animal is vaccinated for rabies protection or not, not to confine said animal either in an enclosure at home, kennel or veterinary hospital, for a period of not less than 10 days or pursuant to State law on the evening of the day of the bite. Testing Requirement – It shall be unlawful to destroy any dog or other animal which should for any reason, die during the ten day quarantine. Instead, the head of the animal shall be removed and submitted within 12 hours following the animal's death to a qualified official laboratory for examination and testing.

**SECTION 10.** Rabid Animals. Upon suspicion of the animal control officer that a dog or other animal has rabies, it shall be the owner's responsibility to euthanize the animal. In the absence of an owner, the animal control officer shall euthanize the animal in the most humane manner possible.

**SECTION 11.** Penalties. Upon first violation, the owner or person harboring the animal(s) shall take immediate and necessary action to rectify the violation. Upon second or subsequent violations, the responsible party shall be subject to prosecution for violation of this Ordinance as a Summary Offense. Therein, any person who shall violate any provision or section of this Ordinance shall upon being found guilty thereof shall pay a fine of not less than \$100.00 and not more than \$300.00 plus all court costs, including reasonable attorney fees incurred by the Township in regards to the enforcement thereof.

Each day that a violation occurs shall be deemed a separate offense. It shall further be ordained that the fines established may be changed by Resolution of the Board of Supervisors.

**SECTION 12.** Severability. The provisions of this Ordinance are severable. If any sentence, clause, or section of the Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Cecil Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

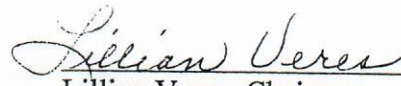
**SECTION 13.** Effective Date. This Ordinance shall become effective 30 days after enactment.

**SECTION 14.** Repeals. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

ENACTED AND ORDAINED into law this 29th day of September, 2004.



Chairman of the Board

  
Lillian Veres, Chairman